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THE HONORABLE JAMES P. DONOHUE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CHIHULY, INC. a Washington
corporation and PORTLAND PRESS,
a Washington corporation,

Plaintiffs,

Vs.

ROBERT KAINDL, an individual;
BRYAN RUBINO, individually and
on behalf of his marital community;
ART GLASS PRODUCTION, a
Washington company; LAKESHORE
GALLERY, LTD, a Washington
corporation; KENNETH BEHM
GALLERIES, LTD, a Washington
corporation; TRAMMELL-GAGNE,
LLC, a Washington limited liability
company; and UNIK!, LLC, a
Washington limited liability company,
Defendants.

NO. CV05-1801

KENNETH BEHM GALLERIES,
LTD'S SECOND SUPPLEMENTAL
DISCLOSURES PURSUANT TO
FRCP 26(a)

COMES NOW the Defendant Kenneth Behm Galleries, Ltd pursuant to FRCP
26(a) and makes the following supplemental disclosures:

SUPPLEMENTAL DISCLOSURES
PURSUANT TO FRCP 26(a) - 1 -

Woodbery Law Group, P.S.
800 Bellevue Way, N.E., Ste 400
Bellevue, WA 98004
Telephone (425) 637-3012
Facsimile (425) 637-3014

1 A. Additional Persons with discoverable information:

2 The following individuals may be contacted through Counsel of Record
3 for Kenneth Behm Galleries Ltd. at 800 Bellevue Way, N.E., Ste 400, Bellevue,
4 WA 98004. 425-637-3012 or at the contact information herein provided;

5 1. Amanda Hepworth- Employee at Defendant's South Center gallery has
6 knowledge obtained from conversations at the gallery with Robert Kaindl of his
7 background and experience and that the glass art of his offered for sale at Kenneth
8 Behm Galleries was created by him. She has knowledge of the general similarity
9 of the type of glass art sold to that sold under the name or created by Dale
10 Chihuly. She has observed similar glass art to this for sale in other galleries in the
11 northwest and not under the name of Dale Chihuly. She has knowledge of the
12 instruction gallery personnel received on the identity of the artist Robert Kaindl as
13 having created the art for sale at Kenneth Behm Galleries.

14 2. Lacey Hepworth- Former employee of Kenneth Behm Galleries at the
15 Bellevue Square store. She personally sold several pieces of Kaindl art, met
16 Robert Kaindl once at the gallery. The glass art sold or offered for sale at the
17 gallery where she worked was always represented as instructed as having been
18 created by Robert Kaindl.

19
20 3. Zack Rubin
21 530 Melrose Ave. E. # 607
22 Seattle, WA 98102, 206-329-1945

1 Mr. Rubin is a former employee of Kenneth Behm Galleries, Ltd and has
2 knowledge of the glass art of Robert Kaindl offered for sale at the gallery while
3 employed there. He sold at least one piece of Kaindl glass art while he was so
4 employed.

5 4. Jessica Hurd
6 3106-130th Place N.E.
7 Bellevue, WA 98005
8 206-709-4104

9 Ms. Hurd is a former employee of Kenneth Behm Galleries and who sold
10 at least one piece of Robert Kaindl glass art.

11 5. Juliet Schubert, 206-786-5921 (current address unknown) is a former
12 employee of Kenneth Behm Galleries Ltd. and has knowledge of two sales of
13 Robert Kaindl glass art to customers in which she was involved. She had
14 some contact with Kaindl and has knowledge of Kaindl's representations as to
15 his method in creating his glass work on a team concept and that he signed
16 each piece offered for sale in the gallery.

17 Dated this 10th day of February, 2006.

18 WOODBERY LAW GROUP, P.S.

19 /s/ John E. Woodbery
20 John E Woodbery, WSBA # 08209
21 Attorney for Defendant Kenneth
22 Behm Galleries, Ltd.
23 800 Bellevue Way, N.E. Ste 400
Bellevue, WA 98004
Phone (425) 637-3012
Fax (425) 637-3014
woodberylaw@lightreality.com

24 SUPPLEMENTAL DISCLOSURES
25 PURSUANT TO FRCP 26(a)

- 3 -

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3 CERTIFICATE OF SERVICE
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5 I hereby certify that on February 10, 2006, I electronically filed with the clerk
6 of the Court using the CM/ECF system which will send notification of the foregoing
supplemental disclosures to the following :

7 O. Yale Lewis, Jr. oyl@hllaw.com; jw@hllaw.com
8 Kari L. O'Neil klo@hllaw.com; zed@hllaw.com
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Steven W. Edmiston seadmiston@invictalaw.com
12 Scott C. Wakefield swake@twlaw.com

13 /s/ John E. Woodbery
John E. Woodbery
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24 SUPPLEMENTAL DISCLOSURES
PURSUANT TO FRCP 26(a) - 4 -
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